

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5891 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MAHARASTHRA SHIKSHAN MANDAL

Versus

DISTRICT EDUCATION OFFICER

Appearance:

MR NC SHAH for Petitioner

MR TH SOMPURA ASSTT.GP for Respondents.

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 11/09/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr. Sompura, learned Assistant Government Pleader appearing for the respondents. The grievance voiced by the petitioner herein is with regard to the non-consideration of the application of the petitioner with regard to opening of 3rd class of Std. 8 in the petitioner school and opening of one more class of Std. 10. Having heard the learned Assistant Government Pleader Mr. Sompura for the respondents, I am of the opinion that the concerned

authority of the respondent should deal with and decide the pending application of the petitioner with regard to opening of 3rd class of Std. 8 in petitioner school as expeditiously as possible. With regard to one more class of Std. 10, appropriate direction for moving fresh application is required to be issued. Following directions are, therefore, issued :

The concerned authorities of the respondents will deal with and decide the petitioner's application for opening of 3rd class in respect of Std. 8 in accordance with law as expeditiously as possible preferably within the period of two months from the date of receipt of these directions. In the meantime, the petitioner will supply all the necessary information in that respect to the concerned authorities. It is further directed that the petitioners will move a fresh application for opening of one more class in Std. 10 commencing from the next academic year i.e. 1999-2000. As and when such application is moved by the petitioner, same shall be considered and decided by the respondent authorities in accordance with law before the end of March, 1999. Subject to these directions, this petition is disposed of. Rule is discharged. No order as to cost.

Vyas